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DAVID E. JANSSEN
Chief Administrative Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

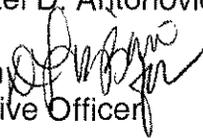
ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

April 21, 2005

To: Supervisor Gloria Molina, Chair
Supervisor Yvonne B. Burke
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen 
Chief Administrative Officer

SACRAMENTO UPDATE

AB 3632 Mental Health Services for Special Education

On April 18, 2005, the Assembly Budget Subcommittee No. 1 on Health and Human Services held open the Governor's proposal to suspend the mandate for counties to provide AB 3632 mental health services to special education students. Several education groups, along with County representatives, testified in opposition to the Governor's proposal to suspend the mandate and instead argued that the program should be fully funded. The Subcommittee Chair, Assembly Member Hector De La Torre, expressed concern about transferring the mandate back to education. This issue will be discussed further by this and other subcommittees, including those on Education Finance, during May Revision hearings.

Assembly Select Committee on Los Angeles Health Care Crisis

The next hearing of the Select Committee has been scheduled for May 13, 2005 at St. Francis Medical Center, 3630 East Imperial Highway, in Lynwood from 9:30 a.m. to 12 noon. The title of the hearing is "The Administration, Management and Governance of the Los Angeles County Health Care System." A list of witnesses is not available at this time.

Health Authority Legislation

AB 166 (Ridley-Thomas), which would authorize Los Angeles County to establish, by ordinance a health authority, was amended on April 19, 2005 and now includes provisions that would authorize the County to establish an office of inspector general "to conduct audits and investigations of the health care system in Los Angeles County." The bill defines "health care system" as including, but not limited to, public and private licensed hospitals, clinics, home health agencies, physicians' offices, and public or community health services. The bill is scheduled for a hearing before the Assembly Health Committee on April 26, 2005.

AB 201 (Dymally), which would have authorized Los Angeles County to establish, by ordinance, a health authority was amended on April 18, 2005 and now relates to Medi-Cal managed care enrollment and marketing.

Pursuit of County Position on Legislation

AB 13 (Goldberg), as introduced December 6, 2004, establishes the California Racial Mascots Act which would prohibit public schools from using the term 'Redskins' as a school or athletic team name, mascot, or nickname beginning January 1, 2007. The bill exempts schools with enrollment boundaries that include a portion of Indian reservations provided that the tribe having regulatory jurisdiction over the territory has authorized the use of the team name, mascot or nickname through an appropriate enactment or resolution. This bill also authorizes schools to continue the use of uniforms or other materials bearing the term 'Redskins' purchased prior to January 1, 2007, if specified conditions are met.

The Los Angeles County Commission on Human Relations (Commission) indicates that the Los Angeles Unified School District (LAUSD) passed a resolution in 1997 stating that "the use of American Indian mascot names and images in schools evokes negative images that become deeply imbedded in the minds of students, depicting American Indians in inaccurate, stereotypic, and often violent manners". The resolution mandated that the use of such names be eliminated. In 1998, a Federal judge upheld the resolution and such names are no longer in use within LAUSD.

The Commission believes this bill is a necessary step to begin to respect the indigenous people of this State, and recommends that the County support AB 13, and we concur. Support for AB 13 is consistent with existing County policy to support legislation to reduce hate crimes, increase human relations education and training, and increase communities' capacity to address intergroup relations issues in a positive way. In addition, support of this measure is consistent with the County's support of AB 858 (Goldberg) during the 2003-04 Legislative Session. AB 858 was essentially the same

as AB 13, but it was vetoed by the Governor on September 21, 2004. In his veto message, the Governor stated that existing law already gives school boards local control and authority should be retained at the local level. **Therefore, our Sacramento representatives will support AB 13.**

AB 13 passed the Assembly Appropriations Committee on April 13, 2005 by a vote of 13 to 5, and is now on the Assembly floor. It is supported by the American Civil Liberties Union, Applied Research Center, Mexican American Legal Defense and Educational Fund, and Public Advocates, Inc., and it is opposed by the California Alliance for Consumer Protection.

AJR 22 (Bass), as introduced on April 20, 2005, urges Congress and the President to take immediate action to eliminate restrictions on child death review teams to access school records of deceased children. Until Federal legislation is enacted, a change in State law could jeopardize Federal school funds. AJR 22 is consistent with the Board's February 8, 2005 action to pursue State and Federal legislation to allow expanded records access for child death review teams. **Therefore, our Sacramento Advocates will support AJR 22 as a County-sponsored measure.** AJR 22 is pending assignment by the Assembly Rules Committee and there is no known support or opposition. In addition, my office is working with County Counsel to draft suitable Federal legislative language to eliminate the restriction on records access.

AB 667 (Jones), as amended on April 13, 2005, would change the performance standards relating to, and State oversight of, local child support agencies (LCSA). Specifically, AB 667 would, 1) create specified performance measures for LCSAs relating to the percentage of caseloads with collections, 2) eliminate the exemption for a county unable to comply with a reporting requirement, 3) require the State to achieve specified performance targets for the new performance measures, 4) require the State to adopt a 2-phase process, rather than a 3-phase approval to be used when a LCSA is out of compliance with a specified performance standard, and 5) require the State either to seek the removal of the local administrator or assess a financial penalty if a LCSA fails to achieve performance targets or to comply with other requirements. Under existing law, the State is required to work in consultation with LCSAs to develop program performance targets.

The Department of Child Support Services (CSSD) indicates that AB 667 would create an unfunded increased workload burden, and does not take into account the current inequitable allocation of State and Federal funds. CSSD estimates that they are \$44 million under equity annually in comparison to other counties. In addition, counties, including Los Angeles, are currently devoting significant staff resources to assist the State in creating a new State Automated Child Support System, so the State can avoid Federal penalties which are over \$200 million a year. AB 667 would place counties like Los Angeles in a position of having to concentrate on meeting State performance measures at the expense of compliance with Federal requirements, which could result

in major penalties and the loss of other child support incentive bonuses for the State and counties.

According to the Child Support Director's Association, the required performance measures specified in AB 667 are probably unattainable for many counties with current funding levels. Additionally, the California State Association of Counties has indicated that AB 667 would set a bad precedent by providing the State the authority to fire local officials, and has suggested that the State does not have the authority to assess financial sanctions against counties based upon Proposition 1A's prohibition against mandating new costs on counties.

CSSD recommends that the County oppose AB 667, and we concur. Opposition to AB 667 is consistent with existing policy to oppose proposals which would reduce program funding or shift additional costs to the County. **Therefore, our Sacramento Advocates will oppose AB 667.**

AB 667 is sponsored by the National Center for Youth Law, and supported by the National Association for Women, Children's Advocacy Institute, and Single Parents United 'N' Kids. The bill is opposed by the California State Association of Counties. AB 667 passed the Assembly Judiciary Committee on April 19, 2005 by a vote of 9 to 0, and now proceeds to the Assembly Appropriations Committee.

Status of County-Interest Legislation

County-opposed, unless amended AB 642 (Negrete McCleod), which would provide workers' compensation presumptions to any public employee who has an adverse reaction to a bioterrorism vaccination or medication, was heard on April 20, 2005 by the Assembly Appropriations Committee and placed in the Committee's Suspense File on consent. The author has indicated a willingness to restrict the measure to those instances where an employee acts at the request of an employer. AB 642 will be considered after the Governor's May Revise.

County-supported AB 783 (Jones), which provides reimbursement for the cost of special elections to fill a vacancy in the Congress or the Legislature, was heard on April 20, 2005 by the Assembly Appropriations Committee. It was placed on the Committee's Suspense File, and will be considered after the Governor's May Revise.

County-supported AB 856 (Bass), which extends the sunset date of the Baldwin Hills Conservancy (BHC) from January 1, 2008 to January 1, 2011, adds the Director of the Department of Conservation, or his or her designee, as a non-voting member of the BHC board, makes changes pursuant to the Bagley-Keene Open Meeting Act, and repeals the requirement that the BHC obtain and maintain liability, was placed on the Assembly Appropriations Suspense File on April 18, 2005.

County-supported AB 1090 (Matthews), which defines conversion technologies and promotes their development by incorporating conversion technologies within the State's waste management hierarchy in proper context to its environmental benefits and impacts, and provides diversion credit to jurisdictions that utilize such facilities, was heard in the Assembly Natural Resources Committee on April 18, 2005, but was held by the committee. It is the intent of the committee to hear the bill "later this year", possibly as late as this summer, after further discussion and negotiation of amendments by and between the sponsor, stakeholders, interested parties, and committee staff.

County-opposed AB 1330 (Karnette), which would establish a redevelopment agency for the Los Angeles Harbor, failed passage in the Assembly Committee on Local Government today. Testimony in opposition was provided by the County and CSAC. The bill received only one AYE vote with the remaining Committee members either abstaining or not present. The bill was granted reconsideration by the Committee, and is also pending consideration by the Assembly Committee on Natural Resources.

County-supported, if amended SB 35 (Florez), which would require county First 5 commissions to adopt policies regarding conflict-of-interest and contracting and procurement procedures, adopt a limit on the amount of its revenues that can be spent on administrative functions, adopt policies for establishing salaries and benefits of employees of the county commission, and send its annual audit and report to the State First 5 Commission, was placed on the Senate Appropriations Suspense File on April 18, 2005. The County will support this measure if amended to require stronger fiscal oversight by the State without affecting local control.

County-sponsored SB 116 (Dutton), which would repeal the sunset date for the Safely Surrendered Baby Program, passed the Senate Floor on April 18, 2005 by a vote of 33 to 0, and it now proceeds to the Assembly.

County-supported, if amended SB 153 (Chesbro), which would enact the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006, which, if adopted by the voters, would authorize the issuance of \$3 billion in State General Obligation bonds for resource protection, acquisition, and development, was placed on the Senate Appropriations Suspense File on April 18, 2005. The County is requesting that the bill be amended to include beaches in the definition of parks for the purpose of qualifying for park funding programs.

County-opposed SB 926 (Florez), which requires each local public agency to apply at least 75 percent of all sewage sludge generated by the local public agency to beneficial use, including electricity generation, composting, or other land applications, and prohibits a local public agency from exporting sewage sludge generated by the local public agency to any other county unless an exception is granted by the appropriate regional board, was amended on April 18, 2005 to also prohibit a person from importing sewage sludge into Kern County. This measure is currently in the Senate Environmental Quality Committee awaiting a hearing date.

County-sponsored SB 945 (Soto), which would change California's HIV reporting system from code-based to names-based, passed the Senate Health Committee on April 20, 2005, by a vote of 6 to 4. Dr. Jonathan Fielding, the County's Director of Public Health, testified on behalf of the County, and indicated that if California does not change to a names-based system, it stands to lose a minimum of \$50 million annually in Federal Ryan White CARE Act funds. Dr. Fielding stressed that California has already been reporting AIDS cases by name for over 24 years without a single breach of confidentiality. Senator Kuehl opposed the bill suggesting that California does not need to make a reporting-system change at this time. Dr. Fielding responded that effective October 2006, the CDC will accept only HIV cases by names as the basis of allocating Federal CARE Act dollars.

SB 945 is expected to be heard by the Senate Judiciary Committee on Tuesday, May 3, 2005.

County-supported SB 1018 (Simitian), which would add officers and employees of financial institutions, including banks, credit unions, and savings and loans, to those designated as mandated reporters of financial abuse perpetrated against elder and dependent adults, passed the Senate Public Safety Committee on April 19, 2005 by a vote of 4 to 0. The measure now proceeds to the Senate Judiciary Committee where it is awaiting a hearing date.

We will continue to keep you advised.

DEJ:GK
MAL:JF:EW:MS:MR:RM:ib

c: Executive Officer, Board of Supervisors
County Counsel
Local 660
All Department Heads
Legislative Strategist
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participants